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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,707	06/12/2006	Guillaume Allys	2085104US	2995

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EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
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2164

MAIL DATE	DELIVERY MODE
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09/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/565,707

Applicant(s)

ALLY'S ET AL.

Examiner

Sam Rimell

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5-10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

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Claims 5-10 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from other multiple dependent claims. See MPEP § 608.01(n). Accordingly, the claims 5-10 not been further treated on the merits. The status of claims 5-10 shall be that of objected to, and not examined.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1: In line 1, the phrase “the relevance of the document” lacks antecedent basis. In lines 4-5, the phrase “the basis of a known semantic neighborhood” lacks antecedent basis. In line 11-12, the phrase “related to different meanings” is indefinite since it clear what relations are implied.

Claim 2: In lines 3-4, the phrase “the presence of the concept” lacks antecedent basis. In lines 4-5, then phrase “the semantic neighborhood” lacks antecedent basis. This same term is also indefinite, since it is not clear what constitutes a “semantic neighborhood”.

Claim 3-4: The phrase “semantic clouds” is indefinite and highly ambiguous.

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-4 are rejected under 35 U.S.C. 101 because the claimed invention is non-statutory.

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Claim 1: Claim is addressed to a method of calculating a relevance function and a result of an ambiguity function. These calculations are nothing more than mathematical calculation without any practical application. The result is merely the manipulation of abstract mathematical concepts to produce a result that it not applied to anything. Accordingly, the claimed invention is non-statutory.

Claim 2-4: See remarks for claim1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4 are, as best as can be understood, rejected under 35 U.S.C. 102(e) as being anticipated by Chaudhuri et al. (U.S. Patent 7,251,648).

Claim 1: The “semantic neighborhood” is a database (col. 6, line 6). The database includes documents, such as records of homes for sale (col. 6, line 18). Each record of a home for sale is considered a document.

The system of Chaudhuri et al. calculates a relevance function (formula for “R” at col. 18, lines 35-40). This formula is considered a relevance function since multiple variables within the formula pertain to determined relevance (col. 18, lines 41-42 and lines 46-48). The formula calculates the relevance of records in a ranked list of records to a search query.

The system of Chaudhuri et al. further calculates an ambiguity function (col. 8, lines 30-35). This formula is considered an ambiguity function since it meets the claimed requirements of

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being different from the relevance function and provides a numerical estimation related to different terms within the documents/records.

Claim 2: The relevance function illustrated at col. 18, lines 35-40 determines the relevance of records in a ranked list of results from a search query. Accordingly, it determines the relevance of concepts (the search query is request for information on a concept) to the semantic neighborhood of documents (the database of records). For example, if the “concept” being searched is a house having four bedrooms (col. 6, line 9), the relevance function will determine the relevance of the documents found from the database which include that concept.

Claim 3: The “semantic neighborhood” is the database of records. The “semantic cloud” is any subset of those records, such as a tuple (an individual record) or tuples (groups of records). The ambiguity function determines the similarity between the tuples (record or records) and the concept (the information concept being searched) (col. 8, line 38).

Claim 4: Col. 8, lines 1-11 describe various weighting coefficients.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.



Sam Rimell
Primary Examiner
Art Unit 2164